

| | | |
|---------------------------|---|-----------------|
| In Re application of |) | Group Art Unit: |
| Wolfgang FISCHER |) | |
| Julius Adolf Josef HAUCK |) | Examiner: |
| Arnold Paul Alfred MICHEL |) | |
| Application No. : TBD |) | |
| Filed : August 8, 2006 |) | |
| For : METHOD AND DEVICE |) | |
| |) | |
| |) | |
| |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In accordance with 37 CFR 1.97 and 1.98, and with MPEP Section 609, the materials set forth on the enclosed PTO/SB/08a form are brought to the attention of the Examiner. Copies of the non-U.S. patent documents are enclosed. Copies of the U.S. patent documents are not enclosed.

Each of the documents cited in the International Search Report, which is a part of the published PCT application WO 2005/075197 A1, is listed on the PTO/SB/08a form.

U.S. patent No. 4,750,659 is in the English language.

WO 02/090650 corresponds to U.S. patent application No. 2004/0104256. The

A2 and two A3 versions of this document are enclosed.

JP 63-235240 is accompanied by an English language abstract which was obtained from a commercial database.

U.S. patent No. 6,321,967 is in the English language.

DE 94 15 859 does not appear to have an English language abstract or equivalent. It is discussed in the specification of the subject U.S. patent application. The Examiner is requested to review that discussion.

The several other documents also discussed in the specification of the subject application, and not set forth above, are also listed on the PTO/SB/08a form.

DE 22 41 127 does not appear to have an English language abstract or equivalent. It is discussed in the specification of the subject U.S. patent application. The Examiner is requested to review that discussion.

DE 197 24 123 corresponds to U.S. patent No. 6,425,513.

EP 0 418 903 is in the English language.

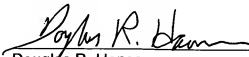
DE 94 09 390 corresponds to GB 2 290 286.

Entry of these materials into the file of the subject U.S. patent application, and their consideration by the Examiner, is respectfully requested.

Respectfully submitted,

Wolfgang FISCHER
Julius Adolf Josef HAUCK
Arnold Paul Alfred MICHEL
Applicants

JONES, TULLAR & COOPER, P.C.
Attorneys for Applicant


Douglas R. Hanscom
Reg. No. 26, 600

10/588712

AP20 Rec'd PCT/PTO 08 AUG 2006

August 8, 2006
JONES, TULLAR & COOPER, P.C.
P.O. Box 2266 Eads Station
Arlington, Virginia 22202
(703) 415-1500
Attorney Docket: W1.1574PCT-US

AP20 Rec'd PCT/PTO 08 AUG 2006

Translation of the pertinent portions of a response from KBA to the Official Action dated April 27, 2005 [NOTE: Claim 15 is referred to throughout – should read Claim 17]:

1. Regarding the cited documents:

1.1 Regarding D1 (US 4 750 659 A)

D1 discloses two motors of two winding rolls that are driven in a synchronous fashion (column 3, line 47) with regard to a variable speed (column 4, lines 3 to 14).

It precisely does not disclose two drive motors that are driven differently with regard to the regulation concept.

1.2 Regarding D2 (WO 02/090650 A2)

D2 discloses a threading device in which a noncontinuous steel belt is wound onto only one spool, which is driven by one drive motor, in one embodiment with regard to engine speed and in another embodiment with regard to an existing torque.

Nowhere does it disclose two spools with one motor each.

1.3 Regarding DE (JP 63 235 240 A)

D3 discloses two motors of two winding rolls, both of which are driven with regard to a torque that may be predetermined.

Like D1, it does not disclose any drive motors that are differently regulated.

2. Novelty and Inventive Step

Because none of the documents discloses the features of Claims 1 or 15, these features are novel.

With D1 as a starting point, the skilled practitioner would not consider consulting D2 because D2 deals with a different concept, namely a threading belt that is wound only on one side. However, even if the skilled practitioner did refer to D2 and, in a first step, choose the variant of torque regulation out of the two possibilities cited there, he would certainly apply this to both drive motors of D1 and arrive at an embodiment similar to that of D3. If even allowable, this combination would lead away from the object of Claims 1 and 15.

The same is true for consulting D2 in conjunction with one of Documents D1 and D3. If,

in spite of the differing concepts, consulting these documents together were even to come into consideration, the skilled practitioner would, based on D2, arrive at either the two drive motors regulated in the same manner found in D1 (both regulated with regard to engine speed) or the two drive motors of D3 (both regulated with regard to torque).

It is precisely the concept of regulating one of the motors with regard to engine speed and the other motor with regard to torque that is not disclosed or rendered obvious in any of the documents. As explained above, the solutions offered by the prior art lead away from the object of Claims 1 and 15. By consulting the documents in conjunction with one another the skilled practitioner would not arrive at all at the object of Claims 1 and/or 15.

Because the object of Claims 1 and 15 also does not originate in an obvious fashion from the prior art, this object is based on an inventive step.

3. Interview

If the Examining Division continues to have concerns regarding the inventive step in the claims as filed, we request an

INTERVIEW or SECOND OFFICIAL ACTION

before the issuance of the International Preliminary Examination Report. We may be reached by telephone at 0931 / 909-61 05.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTC

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

| | | | |
|-------|---|----|---|
| Sheet | 1 | of | 2 |
|-------|---|----|---|

Complete if Known

| | |
|------------------------|------------------|
| Application Number | 10/588712 |
| Filing Date | 08/08/2006 |
| First Named Inventor | Wolfgang FISCHER |
| Art Unit | |
| Examiner Name | |
| Attorney Docket Number | W1 2278 PCT-US |

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | † |
|--------------------|-----------------------|---------------------------|---|--------------------------------|--|---|---|
| | | Country Code ² | number ³ Kind Code ⁴ (if known) | | | | |
| /S.K./ | 1 | DE | 197 24 123 | 12/10/1998 | Madrzak et al. | | |
| /S.K./ | 2 | DE | 2 241 127 | 03/07/1974 | Hopfner | | |
| /S.K./ | 3 | DE | 94 15 859.2 | 01/12/1995 | | | |
| /S.K./ | 4 | DE | 94 09 390.3 | 10/20/1994 | | | |
| /S.K./ | 5 | EP | 0 418 903 | 03/27/1991 | Suzuki et al. | | |

| | | | |
|-----------------------|----------------|--------------------|------------|
| Examiner Signature | /Stefan Kruer/ | Date Considered | 07/03/2008 |
|-----------------------|----------------|--------------------|------------|

EXAMINER. Initial if reference considered, whether or not citation is in conformance with MPEP 909. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbol as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case and the complexity of the information. On the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08a (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

| | | | |
|-------|---|----|---|
| Sheet | 2 | of | 2 |
|-------|---|----|---|

Complete if Known

| | |
|------------------------|------------------|
| Application Number | 10/588712 |
| Filing Date | 08/08/2006 |
| First Named Inventor | Wolfgang FISCHER |
| Art Unit | |
| Examiner Name | |
| Attorney Docket Number | W1.2278 PCT-US |

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No ¹ | Foreign Patent Document | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ² |
|--------------------|----------------------|---------------------------|---|-----------------------------|---|---|----------------|
| | | Country Code ³ | Number *Kind Code ⁴ (if known) | | | | |
| /S.K./ | 6 | GB | 2 290 286 | 12/20/1995 | Tappert et al. | | |
| /S.K./ | 7 | JP | 63-235240 | 09/30/1988 | Kenichi | | |
| /S.K./ | 8 | WO | 02/090650 A3 | 11/14/2002 | Lehrieder | | |
| /S.K./ | 9 | WO | 02/090650 A3 | 11/14/2002 | Lehrieder | | |
| /S.K./ | 10 | WO | 02/090650 A2 | 11/14/2002 | Lehrieder | | |

| | | | |
|--------------------|----------------|-----------------|------------|
| Examiner Signature | /Stefan Kruer/ | Date Considered | 07/03/2008 |
|--------------------|----------------|-----------------|------------|

***EXAMINER:** Include if/ reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Initial copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the receipt of the Employer must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2